

CLAYTON E. CLEMENT State Bar No. 42751
MAUREEN REILLY State Bar No. 260986
CLEMENT, FITZPATRICK & KENWORTHY PC
3333 Mendocino Avenue, Suite 200
Santa Rosa, California 95403-2233
Telephone: (707) 523-1181 FAX: (707) 546-1360
E-Mail: cclement@cfk.com

Attorneys for Redwood Empire Disposal
Sonoma County, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REDWOOD EMPIRE DISPOSAL)
SONOMA COUNTY, INC., a California)
corporation,)

Plaintiff,)

vs.)

CURTIS J. MICHELINI, an individual;)
HARRY A. HARDIN, SR., an individual;)
GLOBAL MATERIALS RECOVERY)
SERVICES, INC., a California)
corporation; INDUSTRIAL CARTING,)
form of entity unknown; and DOES ONE)
through FIFTY, inclusive,)

Defendants.)

CASE NO. C 10-05736 LB

**STIPULATION FOR THE
FILING OF THE FIRST
AMENDED COMPLAINT AND
FOR REMAND TO STATE
COURT; AND ORDER
THEREON**

IT IS HEREBY STIPULATED among the parties to this action, acting through
their attorneys, as follows:

1. The court may enter its order permitting the filing of plaintiff's First
Amended Complaint in the form attached to this stipulation as Exhibit A.

2. Following the filing of the First Amended Complaint, the court may enter its
order remanding this matter to the Superior Court of the State of California for the County of

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1 Sonoma by executing an order in the form attached as Exhibit B to this stipulation, or such
2 other order adopted by the court.

3 3. Plaintiff has abandoned all claims of unfair business practice based upon
4 alleged violations of the Clean Water Act. Plaintiff will not by amendment to the existing
5 complaint following remand or otherwise again assert that the actions of defendants
6 described in the First Amended Complaint are violations of the Clean Water Act unless
7 plaintiff first complies with all relevant notice requirements contained in the Clean Water
8 Act.

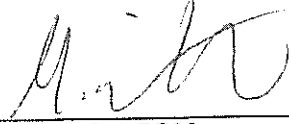
9 DATED: February 17, 2011

CLEMENT, FITZPATRICK & KENWORTHY

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11 By 

CLAYTON E. CLEMENT
Attorneys for Plaintiff

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14 DATED: February 24, 2011


GIDEON KRACOV

Attorney for Defendants Curtis J. Michelini, Harry A.
Hardin, Global Materials Recovery Services, Inc., dba
Industrial Carting

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18 **ORDER**

19 Based on the foregoing stipulation and good cause appearing, it is hereby ordered:

20 1. Plaintiff shall be entitled to file its First Amended Complaint in the form
21 attached as Exhibit A.

22 2. The stipulation of the parties relative to plaintiff's claims under the Clean
23 Water Act is approved.

24 3. The court shall make a separate order remanding the matter to the Sonoma
25 County Superior Court.

26 DATED: March 1, 2011

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MAGISTRATE JUDGE LAUREL BEELER

